

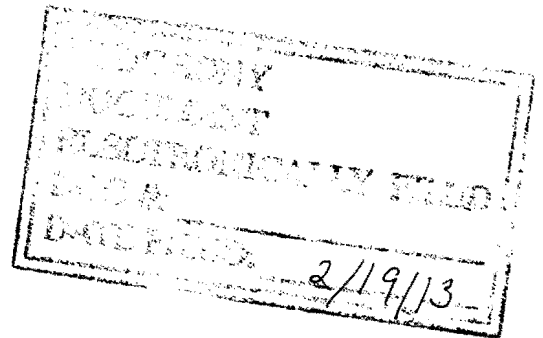
**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation

MDL 1358 (SAS)

This Document Relates To:

City of Fresno v. Chevron U.S.A. Inc., et al.,
Case No. 04 Civ. 04973 (SAS)



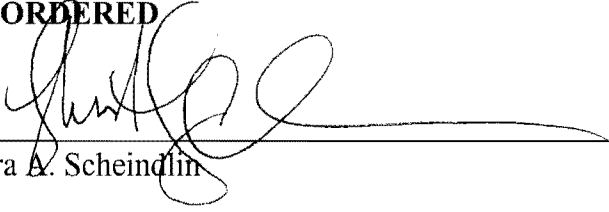
**ORDER GRANTING DEFENDANT CONOCOPHILLIPS COMPANY'S MOTION FOR
GOOD FAITH SETTLEMENT DETERMINATION**

The Court having considered the memorandum of points and authorities submitted in support of Defendant ConocoPhillips Company's, individually and as successor-in-interest to Tosco Corporation and Phillips Petroleum Company ("ConocoPhillips"), Motion for Good Faith Settlement Determination, the accompanying declaration, exhibits, and other evidence, all of the pleadings, filings, and proceedings in this action, and the arguments of counsel, if any:

IT IS HEREBY ORDERED that ConocoPhillips's motion is **GRANTED**, and that:

1. The settlement entered into between the City of Fresno ("Plaintiff") and ConocoPhillips (the "Settlement Agreement") is hereby determined to be a good faith settlement within the meaning of California Code of Civil Procedure §§ 877 and 877.6 and case law interpreting those sections, including *Tech-Bilt, Inc. v. Woodward-Clyde & Assoc.*, 38 Cal.3d 488 (1985).
2. The negotiations of the Settlement Agreement between Plaintiff and ConocoPhillips were fair, and conducted in good faith, and at arm's length. There is no evidence of bad faith, fraud, collusion, or an intent to impact unfairly the rights of other defendants, former defendants, prior settling defendants, or others.
3. Pursuant to of California Code of Civil Procedure § 877.6(c), this good faith determination shall bar any and all further claims by any party (including without limitation any defendant, former defendant, prior settling defendant, cross-complainant, and/or former cross-complainant) against ConocoPhillips and the "Released Parties" (as defined in the Settlement Agreement) for contribution or indemnity.

SO ORDERED



Shira A. Scheindlin

Dated: New York, New York
February 19, 2013